

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RYSTA LEONA SUSMAN, Both)
individually and as Legal Guardian of)
Shane Allen Loveland; and JACOB)
SUMMERS)
Plaintiff(s),)
v.) CASE NO. 8:18CV127
THE GOODYEAR TIRE & RUBBER)
COMPANY)
Defendant(s).)

**PLAINTIFFS' RESPONSE TO GOODYEAR'S MOTION IN LIMINE REGARDING
THE DAY IN THE LIFE VIDEO OF SHANE LOVELAND**

Plaintiffs submit this response to Goodyear's Motion in Limine Regarding the day in the life video of Shane Loveland and states as follows:

Goodyear seeks to preclude the "Day in the Life" video because it contains inadmissible hearsay from available witnesses, and it contains scenes and narrations specifically designed to create sympathy. Goodyear argues that the content of the video will inflame the jury and unfairly prejudice Goodyear. Goodyear's concerns for hearsay and the risk of unfair prejudice appears to stem from the dialogue and narration that occurs throughout the video. In order to address Goodyear's concerns for the risk of unfair prejudice, Plaintiffs will agree to offer the video without any audio. By removing the audio, the jury will only see visuals of Mr. Loveland's day-to-day life, such as his physical limitations and ability to interact with others, and not the scenes and narrations that Goodyear believes will cause unfair prejudice.

Respectfully Submitted,

KASTER, LYNCH, FARRAR & BALL, L.L.P.

Dated: February 11, 2020

By 

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CERTIFICATE OF SERVICE (CM/ECF)

I HEREBY CERTIFY that on February 11, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system.

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